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| Customized FORM PTO-1390<br>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  |   | ATTORNEY DOCKET NO.<br>P07477US00/MP     |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>         DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>         CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |   | U.S. APPLICATION NO.<br><b>10/019746</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/AU00/00839  | INTERNATIONAL FILING DATE<br>11 JULY 2000 | PRIORITY DATE CLAIMED<br>15 JULY 1999    |
| TITLE OF INVENTION: METHOD OF WRITING GRATING STRUCTURES   |   |  |
| APPLICANT(S) FOR DO/EO/US: CANNING, John   |   |  |
| Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |
| <div style="list-style-type: none; padding-left: 0;"> <div style="margin-bottom: 5px;"><input checked="" type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371.</div> <div style="margin-bottom: 5px;"><input checked="" type="checkbox"/> 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).</div> <div style="margin-bottom: 5px;"><input checked="" type="checkbox"/> 4. A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</div> <div style="margin-bottom: 5px;"> <input checked="" type="checkbox"/> 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <div style="margin-left: 20px;"> <input type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau).               <input checked="" type="checkbox"/> b. has been transmitted by the International Bureau.               <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US).             </div> </div> <div style="margin-bottom: 5px;"> <input type="checkbox"/> 6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).           <input checked="" type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))           <div style="margin-left: 20px;"> <input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau).               <input type="checkbox"/> b. have been transmitted by the International Bureau.               <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments had NOT expired.               <input checked="" type="checkbox"/> d. have not been made and will not be made.             </div> </div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</div> </div> |   |  |
| <b>Items 11. to 20. below concern document(s) or information included:</b>   |   |  |
| <div style="list-style-type: none; padding-left: 0;"> <div style="margin-bottom: 5px;"><input type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div> <div style="margin-bottom: 5px;"><input checked="" type="checkbox"/> 13. A <b>First preliminary amendment</b>.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 14. A Second or Subsequent preliminary amendment.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 15. A substitute specification.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 16. A change of power of attorney and/or address letter.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 &amp; 35 USC 1.821-825.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4).</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> 20. Other items or information:</div> <div style="margin-left: 20px;"> <input type="checkbox"/><br/> <input type="checkbox"/> </div> </div>   |   |  |
| <div style="list-style-type: none; padding-left: 0;"> <div style="margin-bottom: 5px;"><input type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).</div> </div>  |   |  |
| Date: 15 January 2002  |   |  |

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| U.S. APPLICATION NO. <i>(if known)</i><br><div style="font-size: 24pt; font-weight: bold; text-align: center;">10/019746</div>  |              | INTERNATIONAL APPLICATION NO.<br>PCT/AU00/00839 |   | ATTORNEY DOCKET NO.<br>P07477US00/DEJ   |        |
| <div><input checked="" type="checkbox"/> 21. The following fees are submitted:.</div> <div><input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492 (a) (1)-(5):</div> <div style="margin-left: 20px;"><div><input checked="" type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO</div><div style="text-align: right;">\$1040</div><div><input type="checkbox"/> Search Report has been prepared by the EPO or JPO</div><div style="text-align: right;">\$ 890</div><div><input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO</div><div style="text-align: right;">\$ 740</div><div><input type="checkbox"/> International preliminary examination fee paid to USPTPO</div><div style="text-align: right;">\$ 710</div><div><input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO &amp; all claims satisfied PCT Art. 33(1)-(4)</div><div style="text-align: right;">\$ 100</div></div> <div style="text-align: right; margin-top: 10px;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> |              |   |   | <div>CALCULATIONS <small>PTO USE ONLY</small></div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">\$ 1040</div> |        |
| <div><input type="checkbox"/> Surcharge of <b>\$130</b> for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)).</div> <div style="margin-left: 400px;"><div><input type="checkbox"/> 20 mos.</div><div><input type="checkbox"/> 30 mos. +</div></div>  |              |   |   | <div>\$</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">\$</div>  |        |
| <b>CLAIMS</b>   | NUMBER FILED | NUMBER EXTRA                                    | RATE  |   |        |
| Total Claims  | 40 - 20 =    | 20  | X \$18 =  | \$ 360  |        |
| Independent Claims  | 03 - 03 =    |   | X \$84 =  | \$  |        |
| <div><input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)</div>   |              |   | + \$280 =   | \$  |        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |   | \$ 1400   |        |
| <div><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.</div>  |              |   |   | -   | \$ 700 |
| <b>SUBTOTAL =</b>   |              |   |   | \$ 700  |        |
| <div><input type="checkbox"/> Processing fee of <b>\$130</b> for furnishing the <b>English translation</b> later than from the earliest claimed priority date (37 CFR 1.492(f)).</div> <div style="margin-left: 400px;"><div><input type="checkbox"/> 20 mos.</div><div><input type="checkbox"/> 30 mos. +</div></div>  |              |   |   | <div>\$</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">\$</div>  |        |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |   | \$ 700  |        |
| <div><input type="checkbox"/> Fee for recording the enclosed <b>assignment</b> (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40</b> per property</div>   |              |   |   | +   | \$     |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |   | \$ 700  |        |
| <div>Amount to be</div>   |              |   |   | Refunded  | \$     |
|   |              |   |   | Charged   | \$     |
| <div><input checked="" type="checkbox"/> a. A <b>check</b> in the amount of \$700 to cover the above fees is enclosed.</div> <div><input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees.</div> <div><input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.</div>  |              |   |   |   |        |
| <div><b>Note:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</div>   |              |   |   |   |        |
| <div>SEND ALL CORRESPONDENCE TO:</div> <div style="margin-top: 10px;"><b>MARVIN PETRY</b></div> <div style="margin-top: 10px;">At the address (below) of <b>CUSTOMER NO. 00881.</b></div> <div style="margin-top: 10px;"><b>LARSON &amp; TAYLOR, PLC</b></div> <div><b>1199 NORTH FAIRFAX ST.</b></div> <div><b>SUITE 900</b></div> <div><b>ALEXANDRIA, VA 22314</b></div>  |              |   | <div>SIGNATURE: </div> <div style="margin-top: 10px;">NAME: Douglas E. Jackson</div> <div style="margin-top: 10px;">REG. NO.: 28518</div> <div style="margin-top: 10px;">PHONE NO.: 703-739-4900</div> <div style="margin-top: 10px;">Date: 15 January 2002</div> |   |        |